

REMARKS

The Examiner's indication of allowable subject matter is noted with appreciation.

Claims 5-23 are pending in the application. Claims 1-4 have been cancelled without prejudice or disclaimer. New claims 5-23 have been added to provide Applicants with the scope of protection to which they are believed entitled. The specification has been placed in compliance with commonly accepted US patent practice. No new matter has been introduced through the foregoing amendments.

The Examiner's acknowledgement of the priority claim in the instant application is noted without appreciation. Applicants respectfully submit that a certified copy of the JP priority document has been received in the USPTO from the International Bureau, as note din the Summary page of the Office Action. A certified copy of the international application is not deemed required, because the international application and the instant application are one and the same; they are different phases, i.e., the international phase and the US national phase, of the same application.

The specification has been placed in compliance with commonly accepted US patent practice per the Examiner's suggestion.

The claim rejections are moot since the original claims have been cancelled.

New independent claim 5 includes the allowable subject matter kindly indicated in paragraph 11 of the Office Action.

Claims 6-15 depend from claim 5, and are considered patentable at least by virtue of their dependency.

New independent claim 16 is directed to an explosively actuated fastener driving tool, comprising: an explosively actuated fastener driving mechanism; and an electrically powered fastener feeding mechanism for feeding fasteners from a magazine associated with said tool to the fastener driving mechanism. As correctly noted by the Examiner in the Office Action, the art singly or in combination does not teach or suggest the highlighted claim features in a fastener driving tool.

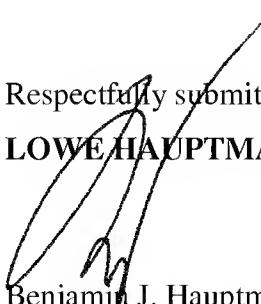
Likewise, **new independent claim 20** directed to a combustion-powered fastener driving tool, comprising: a combustion-powered fastener driving mechanism; and an electrically powered fastener feeding mechanism for feeding fasteners from a magazine associated with said tool to the fastener driving mechanism, is patentable over the art.

The new dependent claims are considered patentable at least for the reason(s) advanced with respect to the respective independent claim(s).

Accordingly, Applicants respectfully submit that all claims are now in condition for allowance. Early and favorable indication of allowance is courteously solicited.

The Examiner is invited to telephone the undersigned, Applicant's attorney of record, to facilitate advancement of the present application.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,
LOWE HAUPTMAN HAM & BERNER, LLP


Benjamin J. Hauptman
Registration No. 29,310

1700 Diagonal Road, Suite 300
Alexandria, Virginia 22314
(703) 684-1111
(703) 518-5499 Facsimile
Date: March 17, 2010
BJH:KL/tal